

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Kelvin D. Daniel, et al.,

Plaintiffs,

vs.

Swift Transportation Corp.,

Defendant.

No. CV-11-1548-PHX-ROS


**ORDER**

On October 3, 2011, Defendant filed a Motion to Dismiss. (Doc. 14). Pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), Plaintiffs chose to amend their complaint. (Doc. 19). The amended complaint rendered the motion to dismiss moot. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992) (recognizing “well-established doctrine that an amended pleading supersedes the original pleading”). Thus, Plaintiffs’ request for an extension of time to file a response to the motion to dismiss is also moot.

Accordingly,

**IT IS ORDERED** the Motion to Dismiss (Doc. 14) and Motion for Extension of Time (Doc. 20) are **DENIED AS MOOT**.

Dated this 31st day of October, 2011.

  
\_\_\_\_\_  
Roslyn O. Silver  
Chief United States District Judge